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Attorneys for Defendants
INTERCONTINENTAL HOTELS GROUP RESOURCES,
INC; INTERCONTINENTAL HOTELS OF SAN
FRANCISCO, INC.; SIX CONTINENTS HOTELS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAURA MCCABE and LATROYA
SIMPSON, individually and on behalf of
similarly situated individuals,

Plaintiffs,

v.

INTERCONTINENTAL HOTELS GROUP
RESOURCES, INC; INTERCONTINENTAL
HOTELS OF SAN FRANCISCO, INC.; SIX
CONTINENTS HOTELS, INC.; and DOES 2
through 10, inclusive

Defendants.

CASE NO. C12-4818

**STIPULATION DISMISSING
DEFENDANTS INTERCONTINENTAL
HOTELS GROUP RESOURCES, INC.
AND INTERCONTINENTAL HOTELS
OF SAN FRANCISCO, INC. WITHOUT
PREJUDICE**

Complaint Filed: July 3, 2012
Trial Date: None

1 Plaintiffs Laura McCabe and Latroya Simpson (collectively, "Plaintiffs") and Defendants
2 InterContinental Hotels Group Resources, Inc., InterContinental Hotels of San Francisco, Inc.,
3 and Six Continents Hotels, Inc. (collectively, "Defendants"), by and through their respective
4 counsel, stipulate as follows:

5 WHEREAS, Plaintiffs originally filed this action against Defendants InterContinental
6 Hotels Group Resources, Inc. and InterContinental Hotels of San Francisco, Inc.;

7 WHEREAS, Plaintiffs were informed that Defendant Six Continents Hotels, Inc.
8 answered the telephone calls at issue in this case rather than Defendants InterContinental Hotels
9 Group Resources, Inc. and InterContinental Hotels of San Francisco, Inc., and therefore added
10 Defendant Six Continents Hotels, Inc. to this case;

11 WHEREAS, Defendants have informed Plaintiffs that Defendants InterContinental Hotels
12 Group Resources, Inc. and InterContinental Hotels of San Francisco, Inc. do not record telephone
13 calls;

14 WHEREAS, Defendants made certain representations on the record at the May 15, 2013
15 case management conference regarding the proper defendant in this action; and

16 WHEREAS, based on Defendants' representation, Plaintiffs are agreeable to dismissing
17 Defendants InterContinental Hotels Group Resources, Inc. and InterContinental Hotels of San
18 Francisco, Inc. from this case pursuant to the terms set forth below.

19 NOW, THEREFORE, Plaintiffs and Defendants have agreed as follows:

20 1. Defendants InterContinental Hotels Group Resources, Inc. and InterContinental
21 Hotels of San Francisco, Inc. shall be dismissed from this action without prejudice;

22 2. Defendant Six Continents Hotels, Inc. agrees to accept service of any deposition
23 subpoenas issued by Plaintiffs to Defendants InterContinental Hotels Group Resources, Inc. and
24 InterContinental Hotels of San Francisco, Inc.; and
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1 3. Defendants InterContinental Hotels Group Resources, Inc. and InterContinental
2 Hotels of San Francisco, Inc. agree that should Plaintiffs move successfully to add them back into
3 the action as defendants that the claims against them shall relate back to the original filing date of
4 the action in state court.

5 IT IS SO STIPULATED.

6
7 Dated: May 20, 2013

DLA PIPER LLP (US)

8
9 By /s/ Edward D. Totino
10 EDWARD D. TOTINO
11 MONICA D. SCOTT
12 Attorneys for Defendants
13 INTERCONTINENTAL HOTELS GROUP
RESOURCES, INC; INTERCONTINENTAL
HOTELS OF SAN FRANCISCO, INC.; SIX
CONTINENTS HOTELS, INC.

14 Dated: May 20, 2013

KELLER GROVER LLP

15
16 By /s/ Eric A. Grover
17 ERIC A. GROVER
18 Attorneys for Plaintiffs
19 LAURA MCCABE AND LATROYA
20 SIMPSON
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